

1 HONORABLE RONALD B. LEIGHTON  
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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT TACOMA

10 IRA RAY DEAN HARTFORD IV,

11 Plaintiff,

12 v.

13 CITY OF ELMA,

Defendant.

CASE NO. C14-5519 RBL

ORDER DENYING PLAINTIFF'S  
MOTION TO PROCEED IFP

14 THIS MATTER is before the Court on Plaintiff Ira Hartford's application to proceed *in*  
15 *forma pauperis*. [Dkt #1] For the reasons below, the application is DENIED.

16 A district court may permit indigent litigants to proceed *in forma pauperis* upon  
17 completion of a proper affidavit of indigency. *See* 28 U.S.C. § 1915(a). The court has broad  
18 discretion in resolving the application, but "the privilege of proceeding *in forma pauperis* in civil  
19 actions for damages should be sparingly granted." *Weller v. Dickson*, 314 F.2d 598, 600 (9th  
20 Cir. 1963), *cert. denied* 375 U.S. 845 (1963). Moreover, a court should "deny leave to proceed  
21 *in forma pauperis* at the outset if it appears from the face of the proposed complaint that the  
22 action is frivolous or without merit." *Tripati v. First Nat'l Bank & Trust*, 821 F.2d 1368, 1369  
23 (9th Cir. 1987) (citations omitted); *see also* 28 U.S.C. § 1915(e)(2)(B)(i). An *in forma pauperis*  
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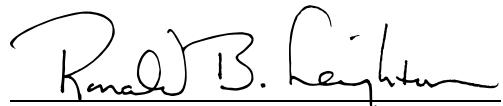
1 complaint is frivolous if “it ha[s] no arguable substance in law or fact.” *Id.* (citing *Rizzo v.*  
2 *Dawson*, 778 F.2d 527, 529 (9th Cir. 1985); *Franklin v. Murphy*, 745 F.2d 1221, 1228 (9th Cir.  
3 1984).

4 Hartford’s complaint is difficult to decipher, but appears to broadly allege that the Mayor  
5 of the City of Elma has conspired against Hartford and attempted to cover up “malicious  
6 activities.” Hartford accuses the Mayor of some role in covering up evidence from a fire in  
7 Hartford’s home, as well as ordering Hartford’s business to be shut down. Though Hartford has  
8 endured some unfortunate circumstances, the Mayor’s tangential role in those situations is  
9 simply too far removed to create any legitimate conspiracy claim.

10 Hartford’s Motion to Proceed *in forma pauperis* is **DENIED**. He has 15 days to pay the  
11 filing fees or the case may be dismissed.

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13 Dated this 26<sup>th</sup> day of July, 2014.

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16 RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE

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